

Appl. No. 10/776,839
Docket No. CM2725MQ
Amdt. dated July 20, 2007
Reply to Office Action mailed on April 20, 2007
Customer No. 27752

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REMARKS

Claim Status

Claims 1-10 are pending in the present application. Claim 7 has been cancelled. No additional claims fee is believed to be due.

Claim 1 has been amended. Support for the amendment can be found at least at page 11, lines 5-25 of the specification and in the originally filed claim set. Claim 9 has been amended. It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Claim Objections

Claim 1 has been objected to because of informalities. In response, Applicants have amended Claim 1 as suggested in the Office Action. Therefore, Applicants respectfully request that the objection be withdrawn.

The Rejection under 35 U.S.C. 102(b) over Tanzer

Claims 1-5, 7, and 9 have been rejected under 35 U.S.C. 102(b) as being anticipated by Tanzer, et al., U.S. Patent No. 5,425,725 (hereinafter "Tanzer"). Applicants respectfully traverse this rejection as Tanzer does not teach a layer of thermoplastic material comprising a first surface and a second surface wherein portions of the second surface of the layer of thermoplastic material are in direct contact with the first surface of the substrate layer and portions of the second surface of the layer of thermoplastic material are in direct contact with the first surface of the discontinuous layer of absorbent material, wherein the absorbent core comprises at least two substrate layers, wherein the substrate layers do not contact each other.

Tanzer does not teach a layer of thermoplastic material, a discontinuous layer of absorbent material, and at least two substrate layers, wherein the substrate layers do not contact each other. Tanzer teaches a first carrier layer and a second carrier layer, wherein a carrier attaching mechanism secures together the carrier layers to provide substantially

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attached zones and a multiplicity of substantially unattached zones (see Abstract). The present invention is directed to

Applicants contend that the Tanzer reference does not anticipate Applicants' Claims 1-5, 7, and 9, as the Tanzer patent does not teach a layer of thermoplastic material as claimed in the present invention. Therefore, Applicants contend that the present invention is novel in view of Tanzer and that the rejection should be withdrawn.

The Rejection under 35 U.S.C. 103(a) over Tanzer

Claims 6, 8, and 10 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Tanzer, et al., U.S. Patent No. 5,425,725 (hereinafter "Tanzer"). Applicants respectfully traverse this rejection, as the reference does not establish a *prima facie* case of obviousness. Specifically, the reference does not teach or suggest all of Applicants' claim limitations, as required under MPEP 2143.03.

As discussed above, Tanzer does not teach or suggest a layer of thermoplastic material, a discontinuous layer of absorbent material, and at least two substrate layers, wherein the substrate layers do not contact each other. As Tanzer does not teach or suggest the absorbent core as taught and claimed in the present invention, Applicants contend that the claimed invention is unobvious and that the rejection should be withdrawn.

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Conclusion

In light of the above remarks, it the Office's rejection is now believed to be moot.
Early and favorable action in the case is respectfully requested.

Respectfully submitted,

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